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THE COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF EDUCATION

REGULATIONS

Prescribed by Departments of Education and Mental Health
Relative to the Establishment of Classes for Mentally
Retarded Children in accordance with General Laws,
Chapter 71, Section 46, as amended.

Adopted by vote of Board of Education
June 16, 1958

THE COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF EDUCATION

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October, 1958

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF EDUCATION

DIVISION OF SPECIAL EDUCATION

Regulations Pertaining to the Establishment of Classes for Mentally Retarded Children in Accordance with General Laws, Chapter 71, Section 46.

REGULATIONS

1. The school committee of every town shall annually ascertain under regulations prescribed by the Department of Education and the Department of Mental Health the number of children retarded in mental development in attendance upon its public schools, and of school age and resident therein.

2. The term "school age" as applied to the ascertainment of mental retardation, shall mean the chronological age at which children in a town are allowed to attend public schools. No mentally retarded child shall be excluded from or denied the right to attend special classes merely because of age.

3. Medical examinations shall be performed by the family physician, school physician or other registered physician of Massachusetts. The medical examinations shall include the taking of a history of the growth and development of the individual child and a physical examination. The physician shall record the results of this examination and include an estimate of motor capacity of the child. The results of a vision and a hearing test on the child shall also be recorded. It is recommended that the vision and hearing examinations be clinical examinations including an audiometric evaluation and not screening examinations. If it is not possible for this type of examination, the child shall be screened by use of the Massachusetts Vision Test and an individual Pure Tone Audiometer Test. Re-examinations, both physical and mental, shall be made at least every two years. Any child may be examined more frequently.

4. Psychological examinations shall be given by qualified examiners employed by public schools and approved by the Department of Education and the Department of Mental Health. The basic psychological test instrument to be used for the purpose of screening and classification shall be the Stanford-Binet scale, 1937 revision, Wechsler Intelligence Scale for Children or other tests approved by the Department of Education and the Department of Mental Health. In exceptional circumstances the psychological examination may be given by qualified personnel of the Department of Mental Health or other agencies or personnel approved by the Departments of Education and Mental Health. Psychiatric and psychological technical assistance and consultation concerning these examinations may be made by the Department of Mental Health.

5. Mentally retarded children shall be classified as follows:

   a. "THE EDUCABLE." Children who receive a score of from .50 to .79 on an intelligence test approved by the Departments of Mental Health and Education, and administered by an examiner approved by said departments; and in exceptional cases other children whose educational

needs, in the opinion of the superintendent of schools, and subject to the approval of the Department of Education, may be best served by this classification.

b. "THE TRAINABLE." Children who receive a score of from .20 to .49 on an intelligence test approved by the Departments of Mental Health and Education, and administered by an examiner approved by said departments; and in exceptional cases other children who, in the opinion of the superintendent of schools, and subject to the approval of the Department of Education, are incapable of performing the school work of Grade I.

c. "THE CUSTODIAL." Children who receive a score of below .20 on an intelligence test approved by the Departments of Mental Health and Education, and administered by an examiner approved by said departments; and other children who due to mental retardation are in need of constant supervision and care.

"EDUCABLE AND TRAINABLE" Mentally Retarded Children may be excluded from public schools:

1. If their presence is detrimental to the other members of their class or school.

2. For any other good and sufficient cause.

It should be noted that no clearly defined line of demarcation can be made between the various classes of mentally retarded children based exclusively on intelligence quotients. In general children who have been examined individually in accordance with these regulations may be classified according to their test scores.

A report shall be rendered by the Superintendent of Schools to the Departments of Education and Mental Health, (Chap. 123, Section 13) on a form approved by the Departments of Education and Mental Health, concerning the results of examinations of each child referred by him for examination for special education.

6. All mentally retarded children of school age classified under Regulation 5A and 5B shall be placed in special classes except those cases that are approved by the Department of Education.

7. The rooms of buildings in which mentally retarded children are housed shall be equal to those available to other school children in the town with adequate lighting, ventilating, and heating facilities, and shall be approved by the Department of Education.

8. The equipment and materials used in the training of mentally retarded children, both educable and trainable, shall meet the standards of modern education and shall be approved by the Department of Education.

9. Certification standards for teachers of special classes for mentally retarded children:

a. A bachelor's degree or a diploma from a four-year course in a normal school approved by the Board of Education.

b. Included in each candidate's program of preparation there shall be a minimum of thirty semester hours in education courses approved for the preparation of teachers of special classes, covering the following areas:

Industrial Arts and/or Crafts
Psychology of Subnormal and Unadjusted Children
Special Class Methods
Educational Measurements
Supervised Student Observation and Teaching

Regularly appointed teachers with three years of classroom experience may qualify on completion of a minimum of twelve semester hours as follows:

Psychology of Subnormal and Unadjusted Children	2 Sem. Hrs.
Special Class Methods	2 Sem. Hrs.
Educational Measurements	2 Sem. Hrs.
Industrial Arts and/or Crafts	4 Sem. Hrs.
Domestic Arts	2 Sem. Hrs.

Special Class Teachers shall be approved by the Department of Education before they assume their duties.

10. The enrollment in a class for educable mentally retarded children shall not exceed 18.

11. The enrollment in a class for trainable mentally retarded shall not exceed 12.

12. Classes for the educable mentally retarded shall be the length of the regular school day. Individual deviations may be made in the case of individual students, upon the recommendation of a certified School Psychologist and approved by the Superintendent of the local school system.

13. Classes for trainable mentally retarded children shall be conducted for not less than $2\frac{1}{2}$ hours per day. Individual deviations may be made in the case of individual students, upon the recommendation of a certified School Psychologist and approved by the Superintendent of the local school system.

14. No child shall be placed in a special class unless the examination shows him to be educable mentally retarded or trainable mentally retarded, except with the approval of the Department of Education.

15. Educable mentally retarded children and trainable mentally retarded children shall be enrolled in separate special classes, except in those cases approved by the Department of Education.

16. An accurate, complete, up-to-date,cumulative record of every child found to be mentally retarded, under the provisions of G. L., C. 71, S. 46, shall be kept. Such records shall be made available to the teachers and shall be held in strict confidence.

17. Reports of school progress shall be made to parents at least quarterly. Such reports shall become a part of the child's cumulative record.

18. In classes for the educable mentally retarded, at least two hours per day shall be given to the development of motor coordination and skill. This may include handwork, arts and crafts and industrial arts and other similar activities recommended by the Superintendent of Schools and approved by the Department of Education.

19. The following items may be considered in determining the cost of special education for reimbursement purposes:

    a. Salaries of teachers exclusive of differential paid under the provisions of Chapter 703 of the Acts of 1950.

    b. Salary of a supervisor of special classes, if one is employed.

    c. Proportionate share of salaries of other supervisors, such as, art, music, physical education, audio-visual education, based on actual supervisory services rendered.

    d. Proportionate share of salary of local psychologist, based on actual services rendered.

    e. Transportation, under the provision of G. L., C. 69, S. 29B, or G. L., C. 71, S. 46B.

    f. Books and supplies consumable in use.

20. The annual census shall be taken not later than May 15 and all mental and physical examinations shall be completed at a date which will allow mentally retarded children to be placed in special classes by the opening of school in September.

21. Reimbursement will be granted to those towns whose special classes, under G. L., C. 71, S. 46, have been approved by the Department of Education.

    Application forms for the approval of special classes shall be filed with the Director of the Division of Special Education. Separate forms shall be made for each class of educable mentally retarded children and trainable mentally retarded children.

22. Certification Standards for School Psychologists.

A teacher's certificate valid for service in the public schools of Massachusetts.

A Master's degree with a major in Psychology, or 30 semester hours of graduate credit with a major emphasis in Psychology.

The candidate's program of graduate or undergraduate study must include the following areas:

a. Psychology and growth of the normal child, including such areas as physical and mental growth, childhood, adolescence, parent-child relationships, human motivation, mental hygiene, and the influence of family and community relationships. (minimum: three semester hours.)

b. Psychology and growth of the exceptional child, including the physically and mentally handicapped, the emotionally disturbed, and the socially maladjusted. (minimum: three semester hours.)

c. Advanced psychology of learning or educational psychology. (minimum: three semester hours.)

d. Diagnosis of learning difficulties and remedial instruction. (minimum: three semester hours.)

e. Individual tests and measurements, including supervised work in the use of these tests on varied case material. (minimum: three semester hours.)

f. Group tests and measurements, including supervised work in the use of these tests on varied case material. (minimum: three semester hours.)

g. Procedures in counseling, guidance, and interviewing with some supervised field work in the utilization of these techniques. (minimum: three semester hours.)

h. Abnormal psychology, including personality development, personality disorders, evaluating problems of both children and adults. (minimum: three semester hours.)

Three years of successful psychological experience with children appropriate to this certificate may be accepted by theBoard of Education in lieu of courses required for the certificate after review of this experience by the Board.

These regulations for school psychologists SHALL NOT APPLY to persons employed by Massachusetts school committees as school psychologists prior to January 25, 1955.

General Laws -- Chapter 71 -- Section 46.

Classification, Instruction and Placing Out of Certain Mentally Retarded Children -- The school committee of every town or district committee of every regional school district shall annually ascertain, under regulations prescribed by the department and the department of mental health, the number of children retarded in mental development in attendance upon its schools, or of school age and resident therein. Such children shall be placed in the following classifications:-- (a) the educable mentally retarded; (b) the trainable mentally retarded; and (c) the custodial mentally retarded. At the beginning of each school year the committee of every town or district committee of every regional school district where there are five or more such children as determined in accordance with the first sentence of this section, shall, and every town or regional school district where there are less than five such children may establish special classes for the instruction of the educable mentally retarded children and for the instruction of the trainable mentally retarded children according to their mental attainments, under regulations prescribed by the department. A child appearing to be mentally retarded in any less degree may, upon request of the superintendent of schools of the town or regional school district where he attends school, be examined under such regulations as may be prescribed by the department and the department of mental health. No child under the control of the department of public welfare or of the board of public welfare of any city or town, who is retarded in mental development within the meaning of this section, shall, after complaint made by the school committee to the department of public welfare or said board of public welfare, be placed in a town or regional school district which is not required to maintain a special class as provided for in this section.

The school committee of any town or the district committee of any regional school district may establish day occupational training programs for mentally retarded children over the age of sixteen years.

(1919, 277; 1919, 350; 1922, 231; 1931, 358; 1941, 194; 1954, 514; 1955, 626; 1956, 535; 1957, 584.)

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